

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/524,358 Confirmation No. 6329
Applicant : Badreddine Bergaya et al.
Filed : August 8, 2005
TC/A.U. : 1793
Examiner : Matthew E. Hoban

Docket No. : 05-189
Customer No. : 34704

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY/SUBSTANCE

Dear Sir:

This is in response to the telephone communication between Examiner Hoban and Examiner Koslow and the undersigned on December 16, 2009.

REMARKS/ARGUMENTS begin on page 2 of this paper.

REMARKS/ARGUMENTS

This is in response to the Examiner Interview Summary record mailed December 16, 2009.

On December 16, 2009, an interview was held by telephone with Examiner's Hoban and Koslow. During the interview, claim 37 as presented in the amendment filed August 3, 2009 was discussed. It was explained that this claim was allowable over the cited and applied references because restoration materials including Portland cements were excluded by the claim.

The Examiner indicated some potential 112 issues between the body and the preamble. Applicant's attorney said that such issues could be overcome by changing the preamble to read "A process comprising:"

Finally, the issue of optimal components in the claim were discussed. Applicant's attorney stated that the optimal material limitations do not affect the patentability of the claims.

Applicant's attorney understands that a further search is required and that a further interview may be carried out to expedite prosecution.

The Examiners are thanked for conducting the interview.

Respectfully submitted,

Badreddine Bergaya et al.

By /Barry L. Kelmachter #29999/
Barry L. Kelmachter
Attorney for Applicants
Bachman & LaPointe, P.C.
Reg. No.: 29,999
Telephone: 203-777-6628
E-mail: docket@bachlap.com

Date: January 14, 2010